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exhibited (1) no specially neurotic type, (2) no necessary hereditary influences bearing him toward crime, (3) no special "rough" as a temperamental type of offender, (4) no special assertiveness or ego-centricism in delinquents, and (5) in general ability, in psychomotor control, in control of association processes, as well as in the powers of apperception and memory, there were no indications of anything not normal. In the individual cases presented in this book, plainly the evidence points to a suppressed idea or complex as the chief cause of the disorder, and this suppression appears to be completely dis severed from what the delinquent knows or feels he ought to do.

Especially do we note the "dynamic quality of hidden mental reactions." There is often a "distinct inner urge toward misdoing," an "untoward drive" dis severed from reason or prudence. The "determining factor of action arises and recurs with a show of strength out of all proportion to any readily perceivable source of motive power." Often delinquents feel their actions to be "forced, as it were, by something in themselves, but not of themselves." Such actions do not need in any way to feel pleasurable. Superficial observations are often thoroughly misleading in regard to the antecedents of such action, on account of the deeply repressed, but "highly emotional import of the original experience." The delinquency, however personal its causes may be, can always be accentuated by (1) memory and habit, (2) being confronted with the already achieved reputation, (3) old associations in delinquency, (4) companions known while under detention, (5) police surveillance, and (6) an unfavorable family attitude.

Considering delinquency as an effect, Dr. Healy urges the application of common sense and scientific principles to the cause. Personal, sympathetic coöperation with the patient, with a view to "sublimating" the suppressed complex appears to be reputable as a "first aid." Better than cure, however, is complete prevention, the accomplishment of which requires (1) sex education, (2) close confidence between parents and children, (3) elimination of lying and misrepresentation to the young, (4) the re-education of both parent and child, (5) the altering of the connotation of words and pictures that have stimulated to the "overt act," and (6) being removed from previous environmental conditions.

No permanent cure can be "taken out of a bottle"; the problem here presented is a large slice of the problem of evil, and it is discussed in these pages in a very tangible manner. The book claims to present more cases of the kind than have ever appeared together before, and this is, perhaps, its chief merit, for it adds very little to the methodology of the subject.

ROBERT CHENAULT GIVLER.

MANUEL DE DROIT CONSTITUTIONNEL. By Leon Duguit. Paris: Bocard.

That a third edition of M. Duguit's admirable manual should be called for within ten years of its original publication is sufficient testimony to its merit. It is, indeed, a remarkable effort from whatever point of view it is regarded. Not only does it afford an admirably clear view of the main features of French constitutional law, but it contains also a succinct outline of M. Duguit's own theory of the state not less solidly based on a sober study of the facts than his larger works. It is a volume that is in its way unique; for Esmein's brilliant essay is to be compared rather to M. Duguit's great treatise than to this textbook. It has been brought up to date by the incorporation of comment on the most recent French changes; and, as in earlier volumes, account is taken of the drift of opinion and statute in foreign countries.

The account of parliamentary government in France during the war is particularly good. It is, indeed, to be doubted whether M. Duguit has exactly seized the nature of constitutional change in England. The very remarkable changes for which Mr. Lloyd George has stood sponsor, however admirably

conceived, have hardly stood the test of administrative application. The French Chamber has stood the test of war far better than the British Parliament. The former has gone through three periods. In the first, the complete authority of the government, especially in the Bordeaux period, went practically unchallenged. In the second, which roughly ended with the fall of M. Briand's ministry, was a period in which the chamber coöperated with the administration by means of parliamentary commissions. The third and present period seems to be one in which the normal control of the deputies has been restored. M. Clémenceau is the first Prime Minister since 1914 who has come into office as a result of a definite parliamentary refusal of confidence. In England the process has been different. No ministry has been made or unmade in the House of Commons. Parliament has been an organ of deliberation almost as distinct from executive action as is Congress from the President. The evolution of cabinet supremacy has been rapidly completed; and it will need little less than a revolution on the part of the private member to restore the balance of power. No student of the English constitution can afford to neglect the great debates in the House of Commons during April, 1917, in which the possibility of such a revolution was clearly indicated.

A reader of M. Duguit's brilliant essay can hardly refrain from the inquiry as to why such books are not produced in America. There is, I think, only a single treatise in the English language — Professor Dicey's "Law of the Constitution" — which in any real degree challenges comparison with this book. It is not merely a discussion of laws and ordinances, cases and debates, but, at the same time, a concise and coherent philosophy of law. Our American treatises fail exactly at this point. Whatever books we take up — Willoughby, Curtis, Story, Foster — tends to be little else than a more or less acute comment on the clauses of the constitution with a discussion of the cases they have evolved. The point is not perceived that constitutional law is not merely law, but, as John Chipman Gray used ironically to complain, is politics as well. A writer on the theory of American constitution can no more afford to neglect Jefferson and Hamilton than M. Duguit could venture to neglect Benjamin Constant and Royer-Collard. The point is that any adequate theory of constitutional law involves also a theory of the state. The assumptions will be there in tacit fashion, however carefully the commentator may guard against their presence. The English constitution is different because Mr. Gladstone lived to be eighty-nine; and that is why a writer on the law of the English constitution will study Lord Morley's biography hardly less closely than he studies the contemporary English Reports. For the simple fact is that the key to the English Reports is in Mr. Gladstone's life. That has been realized in France, and the result is here in books like this of M. Duguit. It makes the study of the constitution a subject that is not merely a discipline but also a liberal education. It is greatly to be hoped that the study of it will inspire some competent observer to undertake a similar work for the United States. The material, at any rate, is not wanting, and the result would be a contribution to the understanding of federal institutions such as has hardly been made in our time.

H. J. L.

WAIVER DISTRIBUTED. By John S. Ewart. Cambridge: Harvard University Press. 1917. pp. xx, 304. 8vo.

The full title of this book is "Waiver Distributed among the Departments Election, Estoppel, Contract, Release," and this is a serviceable explanation of the author's purpose and points of view. "Waiver" itself void, voidable, forfeiture and election, and "Waiver" in the spheres of contract, Landlord's Tenant, Vendor and Purchaser, and Insurance are all passed in review, each running the gauntlet.